1943. K **File No.** Civ. Pioneer II/43

Legal Dept

B **BRANCH**

Subject:— Rules and Notifications

under the

Civil Pioneer Force ordinance

1942

P/6
E.D

File No. Civ Pioneer 1/43

Gen. 194

186 B

Office of the H.L.A.

There is no objection to approaching the Government of India for the amendment of Section 17 of the Civil Pioneer Force Ordinance, 1942, on the lines suggested at A of the H.L. note dated 19th January 1943 (page 4 ante) but in that case H.D. will also have to suggest the replacing of the majority opinion by the Magistrate's opinion in the last sentence of sub-section (2) of section 17, in order to avoid the anomalous position where the Court consists of two members who are divided in opinion.

2. Under sub-section (1) of section 17 of the Ordinance an offence punishable under section 12 may, if the charge is not disposed of under section 14, 15 or 16, be tried by a summary Court constituted as provided in sub section (2). Under sub-section (2) a summary Court is to consist of a Magistrate of the first class appointed by the District Magistrate etc. sitting with the commandant or a commissioned officer of the Civil Pioneer Force nominated by him and a third person to be selected by the Provincial Government. By Government Notification No. S.I. IV/1141 dated 4th December 1942 issued under this sub-section Government, [illegible] has selected the third person for the purpose of constituting a summary Court for the Surat District. Section 22 of the Ordinance provides that any enrolled person charged with an offence punishable under the Ordinance may be tried and punished for such offence in any place in British India. In virtue of the provisions

of this section it will be possible to try a enrolled person for an offence committed by him outside the Surat District in the Summary Court established for the District. There will, therefore, be no objection to sending an enrolled person who has committed an offence in the Poona District for taking his trial in the ~~Summary Court~~ the summary Court established for the Surat District. The view taken by H.D. in para. 4 of its note (page 5 ante) is correct.

Id/- P.N.H.
20/2.

Remembrancer of Legal Affairs.

U.P. To H.L. (spl.)., No. 1369, dated the 22nd February 1943.

N.V.L.
14/7
4c.

Office of the P.L.A.

A revised draft notification is sent herewith.

Sd/- N.E.I.

For Remembrancer of Legal Affairs.

U.R. to H.L.(Poll) A.F.A. No. 285,
dated 19-4-43.

N.V.L.
14/7
4c.

Notification.
Home Department (Political)-A.P.A.
Bombay Castle April 1940.

No. In exercise of the functions of the Central Government under regulation 4 of the Civil Pioneer Force Regulations, 1942, entrusted to the Government of Bombay by the Government of India, Department of Labour, Notification No. T.P.A. 1092(3), dated the 21st March 1942, the Government of Bombay is pleased to promote Captain Sardar Mansinhji Bhasaheb, in Command of the 2nd Unit of the Bombay Civil Pioneer Force, to be Commandant.

Civil Pioneer Force Regulations 1942.

By order of the Governor of Bombay,

Secretary to Government

N.V.D.
16/7
40.

R.I.No. 243-Confl., dated 27-5-43.

Submitted with reference to the H.L. (Poll- R) office note at p. 28 ante.

2. Regulation 4(2) of the Civil Pioneer Force Regulations, 1942, provides that the Central Government may promote temporarily or substantively a Commissioned officer to a higher rank. The functions of the Central Government under the said Regulations have been entrusted to the B'bay Government under Government of India, Department of Labour Notification No. T.P.A.-1092(3), dated the 21st March 1942. It is now proposed by Government to promote 2nd Lieuts. Kashinath Gangadhar Kale and Hormazdiar Jamshedji Desai of the Bombay Civil Pioneer Force to be Lieutenants. For this purpose, a draft notification (at p. 29 ante) is shown to the P.L.A.

3. The draft notification at p. 29 ante, as very slightly amended, is in order.

Sd/- J. Bhore.
28/5/43.

S.S.

Sd/- B.L.P. Reply may be as at A.
28/5/43.
29

D.S.

Sd/- N.K.D.
29/5.

Office of the P.L.A.

The draft notification at page 29 ante, as very slightly amended, is in order.

Sd/- N.K.L.

For xRemembrancer of Legal Affairs.

U.P. to H.L. (Political) xx A.P.P. No. 246-Confl. dated the 31st May 1943.

N.V.L.
16/7
4c.

NOTIFICATION.

Civil Pioneer Force Regulations 1942.

Home Department (Political)-ARP
Council Hall, Bombay, May 1943.

No. 930-C.- In exercise of the functions of Central Government under regulation 4 of the Civil Pioneer Force Regulations ~~xxxxxx~~ ~~xxxx~~ 1942, entrusted to the Government of Bombay by the Government of India, Department of Labour, Notification No. TFA -1092(3), dated the 21st March 1942, the Government of Bombay is pleased to promote second Lieutenants Kashinath Gangadhar Kale and Hormazdiar Jamshedji Desai ~~xx~~ of the Bombay Civil Pioneer Force, to be Lieutenants.

By order of the Governor of Bombay,

Additional Deputy Secretary to Government.

Advance copies forwarded with compliments to:-

The Secretary to the Governor of Bombay,
The Commissioner, Northern Division,
The Accountant General, Bombay,
The Finance Department,
The District Magistrate, Surat,
The District Superintendent of Police, Surat,
The Commandant, I Unit, Bombay Civil Pioneer Force, Camp Vadala, Bombay,
The Commandant, II Unit, Bombay Civil Pioneer Force, Surat,
The Treasury Officer, Surat.

N.V.D.
16/7
4c.

SVA 11/8

DES 11/8